

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Grasso et al.
PATENT NUMBER: 6,777,388 ISSUE DATE: August 17, 2004
SERIAL NUMBER: 09/377,081 EXAMINER: Saoud
FILING DATE: August 19, 1999 ART UNIT: 1647
FOR: LEPTIN-RELATED PEPTIDES

July 7, 2010
Boston, Massachusetts

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST UNDER 37 C.F.R. § 3.81(b)

Pursuant to 37 C.F.R. § 3.81(b) and M.P.E.P. § 1481.01, Applicants hereby submit this request to correct the assignment data submitted on the PTOL-85B.

The instant application was filed on August 19, 1999 and claims priority to provisional patent application number 60/097,457, filed August 21, 1998. The application was assigned to Albany Medical College ("AMC") in an assignment recorded at Reel 010399 and Frame 0370 on November 19, 1999. A copy of the Notice of Recordation of Assignment Document is attached to this statement as Exhibit A, and a copy of the Assignment Document to AMC is attached as Exhibit B.

On February 10, 2003, Applicants recorded confirmatory Assignments covering this case from each of the inventors to AMC. These Assignments were recorded on February 10, 2003 at Reel 013744 and Frame 0724. Copies of these Assignments and the Notice of Recordation of Assignment Document are attached herein as Exhibits C and D, respectively.

On February 10, 2003, Applicants also recorded a License Agreement between AMC and Ordway Research Institute, Inc. ("ORI"). This License Agreement was recorded at Reel 013744 and Frame 0706 on February 10, 2003. Copies of this License Agreement and the Notice of

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Recordation of Assignment Document are attached herein as Exhibits E and F, respectively. Applicants note that this License Agreement was incorrectly identified as an assignment of the assignor's interest on the Notice of Recordation received from the United States Patent and Trademark Office. The purported assignor on this document was AMC and the purported assignee was ORI. However, no actual ownership rights were conveyed by this document.

Finally, on February 10, 2003, Applicants also recorded a License and Assignment Agreement between ORI and CLF Medical Technology Acceleration Program, Inc. ("CLF MTAP"). This License and Assignment Agreement was recorded at Reel 013744 and Frame 0711 on February 10, 2003. Copies of this License and Assignment Agreement and the Notice of Recordation of Assignment Document are attached herein as Exhibits G and H, respectively. Applicants note that this License and Assignment Agreement was identified as a license and assignment agreement on the Notice of Recordation received from the United States Patent and Trademark Office. The purported assignor on this document was ORI and the purported assignee was CLF MTAP. However, no actual ownership rights were conveyed by this document.

Applicants note the License Agreement from AMC to ORI did not transfer any ownership interest in this case. Rather, the owner of this case is AMC, the assignee of the invention from the inventors. Nevertheless, the PTOL-85B erroneously and inadvertently listed CLF MTAP as the assignee of the invention, and this information was printed on the face of the above-referenced patent, which issued on August 17, 2004.

In accordance with 37 C.F.R. § 3.81(b) and MPEP § 1481.01:

A. Applicants state that the assignment from the inventors to AMC was submitted for recordation as set forth in 37 C.F.R. § 3.11 before issuance of the patent;

B. On March 11, 2009, Applicants submitted a Request for a Certificate of Correction under 37 C.F.R. § 1.323 along with authorization to charge any fees that may be due (such as the fee set forth in 37 C.F.R. § 1.20 (a)) to Deposit Account No. 50-0311 (courtesy copy enclosed as Exhibit I); and

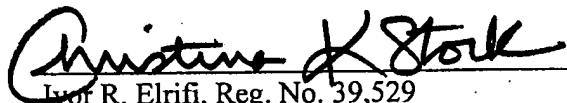
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C. Applicants submit herewith the processing fee set forth in 37 C.F.R. § 1.17(i)

Accordingly, Applicants request that the above-referenced US Patent be corrected to reflect the name of the assignee, Albany Medical College.

Applicants believe that no additional fees are due in connection with this submission. However, the Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment of the same, to Deposit Account No. 50-0311 (Reference 29708-501). The Commissioner is invited to contact the undersigned by collect telephone call if there are any questions concerning this request.

Respectfully submitted,



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